

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

Mark O'Dell and
Patricia O'Dell,
Plaintiffs

v.

Civil No. 05-cv-366-SM

P.M. MacKay & Sons, Inc.;
Lou Ann Fornataro, individually,
and d/b/a Lou Ann Fornataro,
Registered Architect, P.A.,
Defendants

O R D E R

A status conference was held on September 16, 2008. The case is settled as between plaintiffs and defendants. A potential issue remains with respect to apportionment of settlement proceeds, but counsel for plaintiffs and counsel for the worker's compensation insurance carrier and lienholder (The Hartford) are confident that the matter can be successfully negotiated in short order.

Accordingly, the case is dismissed as to all defendants by reason of settlement, and shall be administratively closed, but subject to reopening on motion of either plaintiff or the Hartford, should an agreement with respect to apportionment prove unattainable. If, as anticipated, an agreement is forthcoming, a joint motion for approval of settlement shall be filed for the court's prompt consideration.

SO ORDERED.


Steven J. McAuliffe
Chief Judge

September 17, 2008

cc: Jeffrey L. Alitz, Esq.
Christopher A. Bandazian, Esq.
Denise Lauretti, Esq.
Thomas K. McCraw, Jr., Esq.